



July 17, 2025

VIA ECF

THE OMNI
333 EARLE OVINGTON BLVD, SUITE 901
UNIONDALE, NEW YORK 11553
516.880.8484

ROY W. BREITENBACH
MEMBER
DIRECT: 516.880.8378
MOBILE: 516.382.5126
FAX: 516.880.8483
RBREITENBACH@HARRISBEACHMURTHA.COM

The Hon. Jesse M. Furman
United States District Judge
United States District Court
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

RE: Gordon Surgical v. Empire, 24-08550-JMF-GWG

Dear Judge Furman:

We represent the Plaintiffs, and write jointly with Defendants' counsel, to request a 30-day adjournment of the initial conference scheduled for July 28, 2025, along with today's deadline to submit a proposed Civil Case Management Plan and Scheduling Order.

The basis for this request is this case is one of twelve between the parties regarding what Plaintiffs contend is Defendants' failure to properly reimburse Plaintiffs for providing covered medical services to Defendants' enrollees. These lawsuits were all previously combined into one lawsuit, which Judge Woods ordered by split so that each lawsuit involves a single plan administered by Defendants. The parties are currently in the process of attempting to settle all these cases. The issues are somewhat complex, and accordingly it is taking longer than anticipated. We are respectfully requesting the additional 30 days because we are hopeful that settlement can finally be accomplished within that time frame.

Respectfully,

Roy W. Breitenbach

RWB:

Application GRANTED. The initial pretrial conference currently scheduled for July 28, 2025, is hereby ADJOURNED to August 27, 2025, at 9:00 a.m.

cc: Valerie Sirota, Esq.

The Clerk of Court is directed to terminate ECF No. 17.

SO ORDERED.

July 18, 2025

HARRIS BEACH MURTHA CULLINA PLLC